ATTORNEY'S DOCKET NO: 060076

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE DATE: January 27, 2006 . . TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO.: INTERNATIONAL FILING DATE: PRIORITY DATE CLAIMED: PCT/JP04/10639 July 27, 2004 July 30, 2003 TITLE OF INVENTION: NOVEL LACTOBACILLUS, LIVING BODY ACTIVATING LACTOBACILLUS PREPARATION AND PREVENTIVE OR THERAPEUTIC AGENT FOR LIVING BODY INFECTION APPLICANT(S) FOR DO/EO/US: Tadayo HATA, Hitoshi TOSHIMORI and Toshiyuki MARUOKA Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. XX This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination 3. **XX** until the expiration of the time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1). A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority 5. XX A copy of the International Application as filed (35 U.S.C. 371(c)(2)): is transmitted herewith (required only if not transmitted by the International Bureau). has been transmitted by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US) 6. **XX** A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. XX Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are transmitted herewith (required only if not transmitted by the International Bureau). have been transmitted by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. d. **XX** A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. XX An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. ____ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). ITEMS 11. TO 16. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED: 11. XX An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with PTO-1449, 13 references and International Search Report. 12. XX a. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. XX b. ASSIGNEE(s) NAME(s) AND ADDRESS BHPH COMPANY LIMITED, Nassau, Commonwealth of The Bahamas Please publish the assignee data with the application. 13. XX A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment 14. ____ A substitute specification. A change of power of attorney and/or address letter. 16. XX Other items or information: 5 Sheets of Drawings.

							ATTORNET	S DOCKET NO:060076	
U.S. APPLICATION NO. INTERNATIONAL APPLICATION NO. (if known) 1 1 5 66 0 8 5 PCT/JP04/10639							DATE: January 27, 2006		
17. X The following fees are submitted:							CALCULATIONS	PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5):\$3						300.00	\$ 300.00		
Search Fee - all other situations						500.00			
National Stage Search Fee - U.S. was the ISA									
National Stage Search Fee - search report prepared and provided to USPTO\$40							\$ 400.00		
Examination Fee - all other situations							\$ 200.00		
National Stage Examination Fee - U.S. was IPEA and, all claims satisfy PCT Article 33(1)-(4)									
ENTER APPROPRIATE BASIC FEE AMOU						UNT =	\$ 900.00		
XX Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). the fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets	Extra sheets	Number of each additional 50 or fraction Rothereof (round up to a whole number)				ATE			
153 -100 =	53 / 50 =	2 x \$2			250.00	\$ 500.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 DVR 1.492(e)).									
CLAIMS	NUMBER F	NUMBER FILED NUMBER EXTRA			RATE				
TOTAL	20 - 20	20 - 20 =			X \$ 50.00				
INDEPENDENT	1 - 3 =			X \$ 200.00					
Multiple dependent claims(s) (if applicable) + \$360.00									
TOTAL OF ABOVE CALCULATIONS =						\$1400	0.00		
Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).						\$ 700	.00		
SUBTOTAL =						\$ 700	.00		
Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +									
TOTAL NATIONAL FEE =						\$ 700	.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).						\$ 40	.00		
\$40.00 per property +						A 740			
TOTAL FEES ENCLOSED =						\$ 740 Amou	nt to be:		
							refunded	\$	
							charged	\$	

ATTORNEY'S DOCKET NO: 060076

U.S. APPLIO 10 10 15 66 0 8 INTERNATIONAL APPLICATION NO. (if known) PCT/JP04/10639 DATE: January 27, 2006 A check in the amount of \$740.00 to cover the above fees is enclosed. (\$150.00 for basic fee, \$200.00 for search fee, a. <u>XX</u> \$100.00 for examination fee, \$250.00 for application size fee and \$40.00 for assignment.) (This paper is filed in triplicate) Please charge my Deposit Account No. 01-2340 in the amount of \$___ to cover the above fees. (A duplicate copy of this sheet is enclosed.) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to c. <u>XX</u> Deposit Account No. 01-2340. Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) NOTE: must be filed to request that the application be restored to pending status. Send All Correspondence To: Armstrong, Kratz, Quintos, Hanson & Brooks, LLP Suite 1000,1725 K Street, N.W. Washington, D. C. 20006 PATENT TRADEMARK OFFICE Tel: (202) 659-2930 Fax: (202) 887-0357 Reg. No. 42,266 Typed or Printed Name James E. Armstrong, IV Date: January 27, 2006 Signature

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